



09-16-03

AF/2762  
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas J. Sullivan et al.  
Appl. No.: 09/385,489  
Filed: August 30, 1999  
Title: SYSTEM AND METHOD FOR ADMINISTERING PROMOTIONS  
Art Unit: 2162  
Examiner: D. Lastra  
Docket No.: 0110754-620

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Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (General – Patent Pending);
2. Appellants' Supplemental Reply to Examiner's Revised Answer (in triplicate); and
3. Return Receipt Postcard.

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on September 15, 2003.

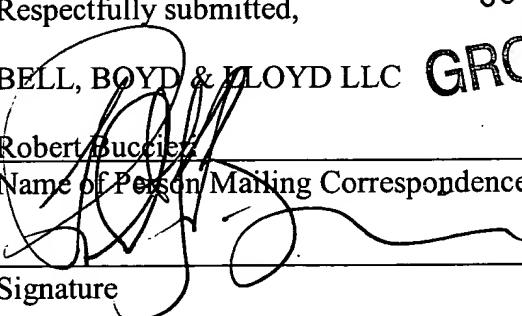
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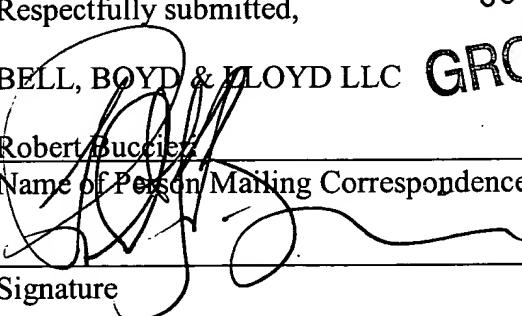
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Respectfully submitted,

BELL, BOYD & LLOYD LLC

  
Robert Buccieri

Name of Person Mailing Correspondence

  
Signature

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**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
0110754-629

**In Re Application Of: Thomas J. Sullivan et al.**

**Serial No.**  
**09/385,489**

**Filing Date**

**Examiner**  
**D. Lastra**

Group Art Unit  
2162

**Title:** SYSTEM AND METHOD FOR ADMINISTERING PROMOTIONS



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TO THE COMMISSIONER FOR PATENTS:

**Transmitted herewith is:**

**Transmittal Letter (General - Patent Pending); Appellants' Supplemental Reply To Examiner's Revised Answer (in triplicate) (2 pages); and Postcard Return Receipt.**

in the above identified application.

- No additional fee is required.

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The Director is hereby authorized to charge and credit Deposit Account No. 02-1818  
as described below.

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Alan F. Luria

*Signature*

**Adam H. Masia (Reg. No. 35,602)  
BELL, BOYD & LLOYD LLC  
P. O. Box 1135  
Chicago, Illinois 60690-1135**

Dated: September 15, 2003

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*Signature of Person Mailing Correspondence*

**Typed or Printed Name of Person Mailing Correspondence**

CC:

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

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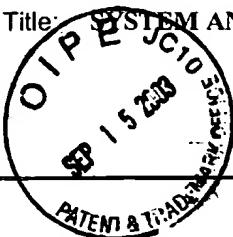
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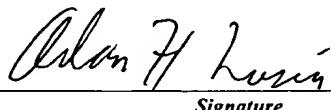
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Signature

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BELL, BOYD & LLOYD LLC  
P. O. Box 1135  
Chicago, Illinois 60690-1135

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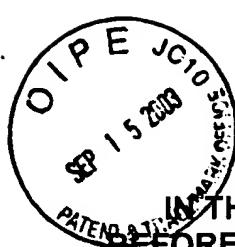
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Examiner: D. LASTRA

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Washington, DC 20231

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**APPELLANTS' SUPPLEMENTAL REPLY TO EXAMINER'S REVISED ANSWER**

Sir:

Appellants submit this Supplemental Reply to the Examiner's Revised Answer dated July 18, 2003. Appellants previously submitted Appellants' Reply to the Examiner's Answer on March 13, 2003. The arguments set forth therein are incorporated herein. Appellants also previously submitted a Request for Oral Hearing on March 13, 2003.

Claims 1 to 94 are pending in the application. Claims 1 to 17, 19 to 62, 64 to 82 and 84 to 94 stand rejected under 35 U.S.C. §102(a) as being unpatentable over U.S. Patent Serial No. 5,832,458 ("Jones"). Claims 18, 63 and 83 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Jones*.

The Board of Appeals appears to have required the Examiner to further address the rejection of dependent Claims 18, 63 and 83 under 35 U.S.C. §103(a).

In the Examiner's Revised Answer, the Examiner addressed the rejection of dependent Claims 18, 63 and 83. Generally, the Examiner stated that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to know that if *Jones* facilitates payments to retailers, then using an electronic fund transfer system would be an obvious feature to add.

Appellants resubmit that:

- a. Dependent Claims 18, 63 and 83 respectfully depend from independent Claims 1, 47 and 77; and

- b. Jones does not anticipate, disclose, teach, or suggest the method of independent Claim 1, the method of independent Claim 47 or the method of independent Claim 77 for at least the reasons stated in Appellants' Appeal Brief and Appellants' previous Reply Brief.

Accordingly, if the rejection of these independent claims based on Jones does not stand for the reasons stated above, it follows that the rejection of the dependent claims should also not stand because they are based on a modification of Jones. In other words, if Jones does not anticipate, disclose, teach or suggest the inventions of independent claims 1, 47 or 77, then it would not be obvious to a person of ordinary skill in the art at the time the invention was made to simply add an electronic fund transfer system to Jones, to render dependent claims 18, 63 and 83 obvious.

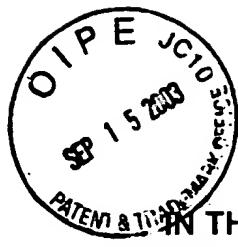
The rest of the Examiner Revised Answer reiterates the Examiner's previous arguments, which Appellants have responded to in the Appellants' Appeal Brief and Appellants' previous Reply Brief. Therefore, no further response to is necessary.

For the reasons set forth therein, Appellants respectfully submit that Jones does not expressly or inherently disclose, teach or suggest the present invention and that the Examiner has failed to establish that Jones expressly or inherently discloses the numerous elements in the claims which are not present in Jones. It is respectfully submitted that the Claims 1 to 94 are in condition for allowance and the rejections of such claims should be reversed.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY   
Adam H. Masia  
Reg. No. 35,602  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4284



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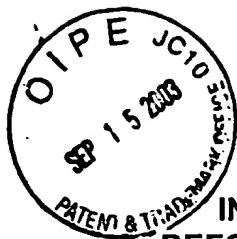
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